

92^d CONGRESS
1ST SESSION

H. R. 12305

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 1971

Mr. HORTON introduced the following bill; which was referred to the Committee on Rules

A BILL

To establish a Joint Committee on National Security.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 DECLARATION BY THE CONGRESS

4 SECTION 1. The Congress declares that—

5 (1) it has been vested with responsibility under the
6 Constitution to participate in the formulation of foreign,
7 domestic, and military policies of the United States and
8 in decisions to commit the Nation to war and authorizing
9 the use of United States Armed Forces abroad;

10 (2) in the past two decades, the failure of the Con-
11 gress to equip itself to respond rapidly to national emer-

1 gencies has resulted in the abandonment by the Congress
2 of a portion of its responsibilities in matters of war and
3 peace; and

4 (3) full cooperation and consultation between the
5 legislative and executive branches in formulating policies
6 in international emergencies would promote our national
7 security and provide for the integration and coordination
8 of United States policies.

9 ESTABLISHMENT OF JOINT COMMITTEE

10 SEC. 2. (a) In order to enable the Congress to more
11 effectively carry out its constitutional responsibility in the
12 formulation of foreign, domestic, and military policies of the
13 United States; in order to provide the Congress with an im-
14 proved means for formulating legislation and providing for
15 integration of such policies and cooperation with the execu-
16 tive branch to further promote the security of the United
17 States; and in order to provide the Congress with an im-
18 proved means of rapidly responding and participating in de-
19 cisions to commit the Nation to war and to the use of United
20 States Armed Forces abroad, there is established a joint com-
21 mittee of the Congress which shall be known as the Joint
22 Committee on National Security, hereafter in this Act re-
23 ferred to as the "joint committee".

24 (b) The joint committee shall be composed of twenty-
25 four Members of Congress as follows:

1 (1) The Speaker of the House of Representatives.

2 (2) The President pro tempore of the Senate.

3 (3) The majority leader of the House of Repre-
4 sentatives.

5 (4) The majority leader of the Senate.

6 (5) The minority leader of the House of Repre-
7 sentatives.

8 (6) The minority leader of the Senate.

9 (7) The chairman and ranking minority member of
10 each of the following committees:

11 (A) The Committee on Foreign Relations of
12 the Senate.

13 (B) The Committee on Armed Services of the
14 Senate.

15 (C) The Committee on the Judiciary of the
16 Senate.

17 (D) The Committee on Foreign Affairs of the
18 House of Representatives.

19 (E) The Committee on Armed Services of the
20 House of Representatives.

21 (F) The Committee on the Judiciary of the
22 House of Representatives.

23 (G) The Joint Committee on Atomic Energy.

24 (8) One Member of the House of Representatives
25 who is not a member of any committee referred to in this

1 section, to be appointed by the Speaker of the House of
2 Representatives.

3 (9) One Member of the Senate who is not a mem-
4 ber of any committee referred to in this section, to be
5 appointed by the President pro tempore of the Senate.

6 (10) One Member of the House of Representatives
7 who is not a member of any committee referred to in
8 this section, to be appointed by the minority leader of
9 the House of Representatives.

10 (11) One Member of the Senate who is not a mem-
11 ber of any committee referred to in this section, to be
12 appointed by the minority leader of the Senate.

13 (c) The joint committee shall select a chairman and a
14 vice chairman from among its members.

15 (d) Vacancies in the membership of the joint committee
16 shall not affect the power of the remaining members to exe-
17 cute the functions of the joint committee and shall be filled
18 in the same manner as in the case of the original appoint-
19 ment.

20 FUNCTIONS OF THE JOINT COMMITTEE

21 SEC. 3. (a) In any case in which the President without
22 specific prior authorization by the Congress and in the ab-
23 sence of a declaration of war by the Congress—

24 (1) commits United States military forces to armed
25 conflict;

1 (2) commits military forces equipped for combat to
2 the territory, airspace, or waters of a foreign nation,
3 except for deployments which relate solely to supply,
4 repair, or training of United States forces, or for humani-
5 tarian or other peaceful purposes; or

6 (3) substantially enlarges military forces already
7 located in a foreign nation;

8 the joint committee shall be convened by the chairman prior
9 to or within twenty-four hours after any such Presidential
10 action to consult with the President or his national security
11 advisers on—

12 (A) the circumstances necessitating his action;

13 (B) the constitutional, legislative, and treaty pro-
14 visions under the authority of which he took such action,
15 together with his reasons for not seeking specific prior
16 congressional authorization;

17 (C) the estimated scope of activities; and

18 (D) such other information as the Congress may
19 deem useful in the fulfillment of its constitutional re-
20 sponsibilities with respect to committing the Nation to
21 war and to the use of United States Armed Forces
22 abroad.

23 (b) The joint committee shall be the officially designated
24 body of the Congress to be consulted by the President and
25 his national security and military advisers, and to receive

1 and transmit information to appropriate committees of the
2 House of Representatives and the Senate concerning actions
3 taken and reports received under subsection (a) of this
4 section.

5 (c) The establishment of the joint committee shall not
6 affect the duties and responsibilities of other committees of
7 the Senate or of the House of Representatives. The joint
8 committee has no authority to report legislation to the floor
9 of either House, but it shall transmit information obtained
10 pursuant to subsection (a) of this section to appropriate
11 committees of the Senate and the House of Representatives
12 together with its recommendations for legislation to be con-
13 sidered or adopted by the Congress, which the joint com-
14 mittee deems necessary to fulfill the constitutional responsi-
15 bilities of the Congress with respect to policies relating to the
16 Presidential actions described in subsection (a) of this
17 section.

18 SEC. 4. (a) The joint committee, or any subcommittee
19 thereof, is authorized, in its discretion—

- 20 (1) to make expenditures;
- 21 (2) to employ personnel;
- 22 (3) to adopt rules respecting its organization and
23 procedures;
- 24 (4) to hold hearings;
- 25 (5) to sit and act at any time or place;

1 (6) to subpoena witnesses and documents;

2 (7) with the prior consent of the agency con-
3 cerned, to use, on a reimbursable basis, the services,
4 personnel, information, and facilities of any such agency;

5 (8) to procure printing and binding;

6 (9) to procure the temporary services (not in ex-
7 cess of one year) or intermittent services of individual
8 consultants, or organizations thereof, and to provide
9 assistance for the training of its professional staff, in the
10 same manner and under the same conditions as a stand-
11 ing committee of the House may procure such services
12 and provide such assistance under subsections (i) and
13 (j), respectively, of section 202 of the Legislative Re-
14 organization Act of 1946 (2 U.S.C. 72a); and

15 (10) to take depositions and other testimony.

16 No rule shall be adopted by the joint committee under para-
17 graph (3) providing that a finding, statement, recommenda-
18 tion, or report may be made by other than a majority of the
19 members of the joint committee then holding office.

20 (b) Subpenas may be issued over the signature of the
21 chairman of the joint committee or by any member designated
22 by him or the joint committee, and may be served by such
23 person as may be designated by such chairman or member.
24 The chairman of the joint committee or any member thereof
25 may administer oaths to witnesses. The provisions of sections

1 102-104 of the Revised Statutes of the United States
2 (2 U.S.C. 192-194) shall apply in the case of any failure
3 of any witness to comply with a subpoena or to testify when
4 summoned under authority of this section.

5 (c) With the consent of any standing, select, or special
6 committee of the Senate or House, or any subcommittee of
7 any such committee, the joint committee may utilize the
8 services of any staff member of such House or Senate com-
9 mittee or subcommittee whenever the chairman of the joint
10 committee determines that such services are necessary and
11 appropriate.

12 (d) The expenses of the joint committee shall be paid
13 from the contingent fund of the House from funds appropri-
14 ated for the joint committee, upon vouchers signed by the
15 chairman of the joint committee or by any member of the
16 joint committee authorized by the chairman.

17 (e) Members of the joint committee, and its personnel,
18 experts, and consultants, while traveling on official business
19 for the joint committee within or outside the United States,
20 may receive either the per diem allowance authorized to be
21 paid to Members of the Congress or its employees, or their
22 actual and necessary expenses if an itemized statement of
23 such expenses is attached to the voucher.

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